GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:3516
ANSWERED ON:16.04.2008
PENALTY ON INSTITUTIONS ORGANISATIONS ALLOWING SMOKING
Adhalrao Patil Shri Shivaji

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Union Government proposes to impose stricter penalty on such Institutions/ Organisations which allow its employees to smoke within its premises as reported in The Times of India dated March 21, 2008;

(b) if so, the details thereof; and

(c) the details of action taken by the Government in this regard?

Answer

THE MINISTER OF STATE FOR HEALTH & FAMILY WELFARE(SMT. PANABAKA LAKSHMI)

(a) & (b) Section 21 of "The Cigarette and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003" Tobacco Control Act, provides penalty for those, who contravenes the provisions of section 4 i.e. ban on smoking in public place with fine which may extend to two hundred rupees. The Act does not provide for any penalty on the institution/organization at present.States Government are mainly responsible for implementation the provisions of the Act.

(c) A proposal for enhanced penal provisions on the individuals and imposition of vicarious liability on the person in charge of the organization/institution wherein provision of section-4 are violated is under the consideration.